

Montgomery County Code
Part II. Local Laws, Ordinances, Resolutions, Etc.

Chapter 8, Buildings

Sec. 8-15. Modifications.

(a) *Variances.* When there are practical difficulties and undue hardship involved in carrying out structural or mechanical provisions of this chapter, the director may vary or modify such provision upon application of the owner or his representative; provided, that the spirit and intent of the law shall be observed and public welfare and safety be assured.

(b) *Written application.* The application for modification and the final decision of the director shall be in writing on a form approved by the department, shall include the names and address of the owners of all property contiguous or opposite to the property described on said application and shall be officially recorded with the application for the permit in the permanent records of the department.

(c) *Notice of hearing.* Within seven (7) days of the filing of the application provided for herein, the director shall cause to be mailed to the owners of any property contiguous or opposite to the property described in said application and, in his discretion, to other interested parties, organizations or agencies a copy of such application and the date, time and place fixed for the hearing.

(d) *Record of hearing.* In all contested cases, the department shall prepare an official record, which shall include testimony and exhibits, but it shall not be necessary to transcribe the stenographic record unless requested for purposes of appeal.